IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 4TH APRIL 2007 / 14TH CHAITHRA 1929

Bail Appl..No. 1266 of 2007(c)

(CASE NO. 4139/05 OF G.B. NAGAR POLICE STATION, NEW DELHI)

PETITIONER/ACCUSED.NO.2.

VIJAYAMMA.S.PILLAI,
MANU ENTERPRISES, T.K.ROAD,
THIRUVALLA, RESIDING AT MANU NIVAS,
PALLIKKACHIRA P.O. PAYIPPADU VILLAGE,
CHANGANASSERY TALUK.

BY ADV. SRI.JOSEPH GEORGE

RESPONDENTS:

---

1. STATE OF KERALA, REPRESENTED BY THE
S.I.OF POLICE, THIRUVALLA POLICE STATION,
PATHANAMTHITTA DISTRICT, BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE STATION HOUSE OFFICER,
G.B.NAGAR POLICE STATION, NEW DELHI.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD ON 04/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1266 OF 2007

Dated this the 4th day of April, 2007

O R D E R

Petitioner, who is the 2nd accused in case No.4139/05 of Additional Chief Judicial Magistrate-II, G.B. Nagar Police Station, New Delhi for offences punishable under sections 415, 418 and 420 IPC, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in the above case, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the ACJM-II, New Delhi and seek regular bail. Accordingly, if the petitioner surrenders before the ACJM-II, New Delhi and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, after examining the explanation offered by the petitioner for his previous non-appearance.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

aks